



# STATE OF WISCONSIN

# Senate Journal

## Ninety–Seventh Regular Session

10:00 A.M.

THURSDAY, December 15, 2005

The Senate met.

The Senate was called to order by Chief Clerk Marchant pursuant to Senate Rule 5 (4)(b).

The Chair, with unanimous consent, asked that the proper entries be made in the Journal.

### CHIEF CLERK'S ENTRIES

The Chief Clerk makes the following entries dated Wednesday, December 14, 2005.

The committee on **Health, Children, Families, Aging and Long Term Care** reports and recommends:

#### Senate Clearinghouse Rule 04–095

Relating to the requirements for administering the office facilities and equipment for safe and effective administration and the applicable standards of care, and to provide for reporting of adverse occurrences related to anesthesia administration.

Modifications requested, Ayes 5, Noes 0.

Ayes, 5 – Senators Roessler, Darling, Brown, Erpenbach and Carpenter.

Noes, 0 – None.

CAROL ROESSLER  
Chairperson

By Patrick E. Fuller, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has amended and concurred in as amended:

#### Senate Bill 403 (Assembly amendment 15 adopted)

Concurred in:

Senate Bill 175

Senate Bill 331

Senate Bill 402

### INTRODUCTION, FIRST READING AND REFERENCE OF PROPOSALS

Read first time and referred:

#### Senate Bill 475

Relating to: increasing the recycling fee imposed on the disposal of solid waste, the program of financial assistance for local recycling programs, and making an appropriation.

By Senators Jauch, Harsdorf, Carpenter and Risser; cosponsored by Representatives Black, Hubler, Ainsworth, Seidel, Boyle, Kreibich, Poca, Zepnick, Berceau,

Pope–Roberts, Sheridan, Nelson, Benedict, Ott, Molepske and Lehman.

To committee on **Natural Resources and Transportation**.

#### Senate Bill 476

Relating to: changing the method of appointing members to a town plan commission.

By Senators Grothman and Breske; cosponsored by Representatives Owens, Ainsworth, Friske, Gronemus, Hahn, Hines, Kreibich, LeMahieu, Loeffelholz, Lothian, Molepske, Mursau, Musser, Petrowski, Pettis and Vruwink.

To committee on **Veterans, Homeland Security, Military Affairs, Small Business and Government Reform**.

#### Senate Bill 477

Relating to: licensing midwives, granting rule–making authority, and providing a penalty.

By Senators Grothman, Roessler, Darling, Lassa, Reynolds, Coggs, Erpenbach and Olsen; cosponsored by Representatives Underheim, Lamb, Hahn, Hines, Townsend, Musser, Pope–Roberts, Pettis, Owens, Molepske, Seidel, Montgomery and Young.

To committee on **Health, Children, Families, Aging and Long Term Care**.

#### Senate Bill 478

Relating to: approval of state building projects and contracts and use of bidding procedures on such contracts and the allocation of village assets and liabilities upon dissolution.

By Senators Roessler, Risser and Zien; cosponsored by Representatives J. Fitzgerald, Shilling and Towns.

To committee on **Veterans, Homeland Security, Military Affairs, Small Business and Government Reform**.

### REPORT OF COMMITTEES

The committee on **Natural Resources and Transportation** reports and recommends:

#### Assembly Bill 117

Relating to: the color of clothing worn during a firearm deer hunting season.

Concurrence.

Ayes, 5 – Senators Kedzie, Stepp, Kapanke, Wirch and Breske.

Noes, 0 – None.

#### Assembly Bill 486

Relating to: the management of double–crested cormorants and granting rule–making authority.

Concurrence.

Ayes, 5 – Senators Kedzie, Stepp, Kapanke, Wirch and Breske.

Noes, 0 – None.

### **Senate Bill 299**

Relating to: conservation wardens employed by the Great Lakes Indian Fish and Wildlife Commission.

Passage.

Ayes, 5 – Senators Kedzie, Stepp, Kapanke, Wirch and Breske.

Noes, 0 – None.

### **Senate Bill 66**

Relating to: the color of clothing worn during a firearm deer hunting season.

Adoption of Senate Amendment 1.

Ayes, 5 – Senators Kedzie, Stepp, Kapanke, Wirch and Breske.

Noes, 0 – None.

Passage as amended.

Ayes, 5 – Senators Kedzie, Stepp, Kapanke, Wirch and Breske.

Noes, 0 – None.

NEAL KEDZIE  
Chairperson

---

## **PETITIONS AND COMMUNICATIONS**

### **State of Wisconsin**

May 27, 2005

The Honorable, The Senate:

Pursuant to Senate Rule 46(2)(c), I am writing to direct that **Assembly Bill 185** be withdrawn from the committee on **Veterans, Homeland Security, Military Affairs, Small Business, and Government Reform** and rereferred to the committee on **Labor and Election Process Reform**. I have obtained the consent of the appropriate chairperson.

Sincerely,

ALAN LASEE  
Senate President

---

## **MESSAGES FROM THE ASSEMBLY**

By Patrick E. Fuller, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has passed and asks concurrence in:

**Assembly Bill 20**  
**Assembly Bill 120**  
**Assembly Bill 122**  
**Assembly Bill 521**  
**Assembly Bill 624**  
**Assembly Bill 700**  
**Assembly Bill 802**  
**Assembly Bill 823**  
**Assembly Bill 829**  
**Assembly Bill 840**

---

## **MESSAGES FROM THE ASSEMBLY CONSIDERED**

### **Assembly Bill 20**

Relating to: displaying attractions on highway specific information signs.

By Representatives Ainsworth, Hundertmark, Ballweg, Gielow, Hahn, Jeskewitz, Kerkman, Krawczyk, F. Lasee, LeMahieu, Lothian, McCormick, Mursau, Musser, Ott, Petrowski, Pettis, Steinbrink, Stone, Townsend, Vos and Vrakas; cosponsored by Senators Zien, Grothman, Kedzie, A. Lasee, Lassa and Olsen.

Read first time and referred to committee on **Natural Resources and Transportation**.

### **Assembly Bill 120**

Relating to: restrictions on the operation of motor vehicles by persons holding instruction permits or probationary licenses and providing a penalty.

By Representatives Petrowski, Gard, Lehman, Ainsworth, Albers, Black, Boyle, Cullen, Gunderson, Hahn, Hines, Jeskewitz, Kerkman, Kreibich, LeMahieu, Ott, Pettis, Seidel, Stone, Travis, Van Roy, Vos and Zepnick; cosponsored by Senators Olsen, Lassa, Roessler, Stepp and Taylor.

Read first time and referred to committee on **Natural Resources and Transportation**.

### **Assembly Bill 122**

Relating to: Medical Assistance reimbursement for transportation by specialized medical vehicle.

By Representatives Friske, Ainsworth, Hundertmark, Kerkman, Gunderson, Albers, Vos, Hines, Mursau, Hahn, Musser and Ballweg; cosponsored by Senators Roessler, Grothman and Breske.

Read first time and referred to committee on **Health, Children, Families, Aging and Long Term Care**.

### **Assembly Bill 521**

Relating to: termination of parental rights and adoption, granting rule-making authority, and providing a penalty.

By Joint Legislative Council.

Read first time and referred to committee on **Health, Children, Families, Aging and Long Term Care**.

### **Assembly Bill 624**

Relating to: payments to the State Public Defender for legal representation.

By Representatives Albers, Lothian, Musser, Bies, Vos, McCormick and Hahn; cosponsored by Senator Reynolds.

Read first time and referred to committee on **Judiciary, Corrections and Privacy**.

### **Assembly Bill 700**

Relating to: creating the Autism Scholarship Program and granting rule-making authority.

By Representatives Rhoades, Kleefisch, Montgomery, Pettis, Albers, Musser, Davis, Townsend, Krawczyk, Owens, Gronemus, Wood, Freese, Towns, McCormick, Gunderson, Mursau, Kreibich, Nischke, Hines, Kestell, Steinbrink, Pridemore and Ott; cosponsored by Senators Kanavas, Harsdorf and Leibham.

Read first time and referred to committee on **Education**.

### **Assembly Bill 802**

Relating to: supplemental Medical Assistance payments to county and municipal nursing homes and making an appropriation.

By Representatives LeMahieu, Kestell, Gunderson, Lehman, Ott, Mursau, Gronemus, Musser, J. Fitzgerald, Huebsch, M. Williams, Lothian, Sheridan, Van Akkeren, Kaufert, Stone, Ziegelbauer, Turner, Jeskewitz, Davis, Suder, McCormick, Towns, Vos, Hahn, Owens, Nass, Kerkman,

Hines, Krawczyk, Van Roy, Strachota, Schneider, Hundertmark, Underheim, Petrowski, Loeffelholz, Seidel, Townsend, Bies, Vruwink, Molepske and F. Lasee; cosponsored by Senators Leibham, Grothman, Schultz, Roessler, A. Lasee, Kedzie, Brown, Erpenbach, Robson, Darling, Wirch, Decker and Hansen.

Read first time and referred to committee on **Health, Children, Families, Aging and Long Term Care.**

#### **Assembly Bill 823**

Relating to: motor vehicle dealers.

By Representatives Lamb, Freese, Gronemus, Kestell, Montgomery, Hahn, Owens, Musser, LeMahieu, Krawczyk, Hines, Gunderson, Gard, Kreibich, Vos, Hundertmark, Ott, Moulton and Suder; cosponsored by Senators Kapanke, A. Lasee, Leibham and Breske.

Read first time and referred to committee on **Natural Resources and Transportation.**

#### **Assembly Bill 829**

Relating to: expanding the Volunteer Health Care Provider Program to include provision of services to students from 4-year-old kindergarten to grade 6 in public elementary schools, charter schools, and private schools that participate in the Milwaukee Parental Choice Program and expanding the definition of volunteer health care provider.

By Representatives Richards, Vukmir, Benedict, Zepnick, Krawczyk, Musser, Fields, Turner, Jeskewitz, Townsend,

Berceau, Hundertmark, Hebl, Parisi, Ballweg, Ott, Kreibich, Hahn, Seidel and Gunderson; cosponsored by Senators Plale, Carpenter and Darling.

Read first time and referred to committee on **Health, Children, Families, Aging and Long Term Care.**

#### **Assembly Bill 840**

Relating to: a speed limit for operation of snowmobiles during the hours of darkness, enforcement and safety relating to the operation of snowmobiles, and making an appropriation.

By Representatives Kaufert, LeMahieu, Gard, Bies, Krawczyk, Meyer, Gunderson, Van Roy, Ziegelbauer, Petrowski, Owens, Huebsch, Kerkman, Towns, Ainsworth, J. Fitzgerald, Jeskewitz, Gronemus, Travis, Townsend, Davis, Ott and Hahn; cosponsored by Senators S. Fitzgerald, A. Lasee, Grothman, Breske, Erpenbach, Hansen and Plale.

Read first time and referred to committee on **Natural Resources and Transportation.**

---

### **ADJOURNMENT**

The Chair, with unanimous consent, asked that the Senate adjourn pursuant to **Senate Joint Resolution 1.**

10:01 A.M.